

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 October 2024

DOCKET NUMBER: AR20230013053

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in 12a (Date Entered Active Duty this Period) as 27 June 1974.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Standard Form 88 (Report of Medical Examination), 27 June 1974
- Standard Form 93 (Report of Medical History), 27 June 1974
- Two DD Forms 214, for the periods ending 24 November 1982 and 30 September 1995

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states he joined the military in June 1974; his medical examination confirms that he entered on that date.
3. The applicant provides:
 - a. His Standard Form 88 (Report of Medical Examination) and Standard Form 93 (Report of Medical History) which shows his date of examination as 27 June 1974.
 - b. Two DD Forms 214 for the following periods:
 - 28 March 1976 to 24 November 1982
 - 22 February 1984 to 30 September 1995
3. A review of the applicant's service record shows:

- a. He enlisted in the Regular Army on 27 June 1974.
- b. He reenlisted on 29 March 1976.
- c. On 24 November 1982 the applicant was honorably discharged. His DD Form 214 shows he completed 6 years, 7 months, and 27 days of active service. His DD Form 214 also shows in:
 - item 12a (Date Entered Active Duty This Period) – 28 March 1976
 - item 12b (Separation Date This Period) – 24 November 1982
 - item 12d (Total Prior Active Service) – 1 year, 9 months and 1 day
 - item 18 (Remarks) – Extension of service was at the request and for the convenience of the Government
- d. On 14 April 1983, the applicant was issued a DD Form 215 (Correction to DD Form 214), for the period ending 24 November 1982, that shows in:
 - item 12a: 29 March 1976
 - item 12c: 26 July 2006
 - item 12d: 2 September 2001
- e. On 30 September 1995, the applicant was honorably retired. His DD Form 214 shows he completed 11 years, 7 months, and 9 days of active service. His DD Form also 214 shows in item 12d: 8 years, 4 months, and 28 days.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition, and executed a comprehensive review based on law, policy, and regulation. The evidence of record shows the applicant enlisted in the Regular Army on 27 June 1974. His record is void of a DD Form 214 for the period 27 June 1974 to 29 March 1976, the date in which he reenlisted. Although his DD Form 214 does capture his prior active duty service in item 12d, as amended by his DD Form 215, as 1 year, 9 months, and 2 days, it does not show his complete reenlistment history. The Board noted the regulation, in effect at the time, was to not prepare a DD Form 214 for enlisted members discharged for immediate reenlistment in the Regular Army; however, determined his record does not accurately reflect his service and granted relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

█	█	█	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- voiding his DD Form 215, issued 14 April 1983
- amending his DD Form 214, for the period ending 24 November 1982 to show in:
 - item 12a (Date Entered Active This Period): 27 June 1974
 - item 12c (Net Active Service This Period): 8 years, 4 months, and 29 days
 - item 12d (Total Prior Active Service): 00-00-00
 - item 18 (Remarks): Immediate Reenlistments This Period 19740627-19760328

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I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, U.S. Code, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation 635-5 (Separation Documents), effective 1 October 1979, prescribed the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. It established standardized policy for preparing and distributing the DD Form 214. The DD Form 214 provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge.

a. Paragraph 1-4b(5) stated a DD Form 214 will not be prepared for enlisted members discharged for immediate reenlistment in the Regular Army.

b. Paragraph 2-8 (DD Form 214 Instructions) stated for:

- item 12, enter the date of the first day of the last immediate reenlistment for which a DD Form 214 was not issued under the provisions of paragraph 1-4b(5)
- item 18, enter a list of enlistment periods for which a DD Form 214 was not issued under the provisions of paragraph 1-4b(5) – example: IMMEDIATE REENLISTMENTS THIS PERIOD: 761210-791001; 791002-821001

3. Army Regulation 635-5 (Separation Documents), effective 30 September 2000, prescribed the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. It established standardized policy for preparing and distributing the DD Form 214. The specific instructions for item 18 for enlisted Soldiers who previously reenlisted without being issued a DD Form 214 and are separated with any characterization of service except "Honorable," enter "CONTINUOUS HONORABLE ACTIVE SERVICE FROM (first day of service which DD Form 214 was not issued) UNTIL (date before commencement of current enlistment)." Then, enter the specific periods of reenlistments as prescribed above.

//NOTHING FOLLOWS//